



Senate

General Assembly

February Session, 2008

File No. 515

Senate Bill No. 614

Senate, April 7, 2008

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

**AN ACT CONCERNING THE RECOMMENDATIONS BY THE
LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO
EDUCATION STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 10-16n of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (a) The Commissioner of Education, in consultation with the
5 Commissioner of Social Services, shall establish a competitive grant
6 program to assist nonprofit agencies and local and regional boards of
7 education, which are federal Head Start grantees, in (1) establishing
8 extended-day and full-day, year-round, Head Start programs or
9 expanding existing Head Start programs to extended-day or full-day,
10 year-round programs, (2) enhancing program quality, and (3)
11 increasing the number of children served. The commissioner, after
12 consultation with the committee established pursuant to subsection (c)
13 of this section, shall establish criteria for the grants, provided at least

14 twenty-five per cent of the funding for such grants shall be for the
15 purpose of enhancing program quality. Nonprofit agencies or boards
16 of education seeking grants pursuant to this section shall make
17 application to the Commissioner of Education on such forms and at
18 such times as the commissioner shall prescribe. All grants pursuant to
19 this section shall be funded within the limits of available
20 appropriations or otherwise from federal funds and private donations.
21 All full-day, year-round Head Start programs funded pursuant to this
22 section shall be in compliance with federal Head Start performance
23 standards.

24 Sec. 2. Subsection (c) of section 10-20a of the 2008 supplement to the
25 general statutes is repealed and the following is substituted in lieu
26 thereof (*Effective from passage*):

27 (c) For purposes of this section, "career cluster" means a range of
28 occupations which share a set of skills and knowledge organized
29 under the federal career clusters endorsed by the Office of Vocational
30 and Adult Education under the United States Department of
31 Education. Such skills and knowledge include (1) academic and
32 technical skills related to the type of employment, and (2) general
33 employability skills. The Commissioner of Education, in consultation
34 with other state, regional and local agencies, business and industry
35 and labor organizations, shall maintain a list of federally recognized
36 career clusters and skill standards for each such career cluster, along
37 with the projected occupation growth area clusters within the state
38 identified by labor market projections provided by the Labor
39 Department.

40 Sec. 3. Subsection (b) of section 10-65 of the 2008 supplement to the
41 general statutes is repealed and the following is substituted in lieu
42 thereof (*Effective from passage*):

43 (b) Each local or regional board of education not maintaining a
44 vocational [agricultural] agriculture center shall provide opportunities
45 for its students to enroll in such a center in a number that is at least
46 equal to the number specified in any written agreement with a

47 vocational [agricultural] agriculture center, or in the absence of such an
48 agreement, a number that is at least equal to the average number of its
49 students that the board of education enrolled in a vocational
50 [agricultural] agriculture center during the previous three school years.
51 The board of education operating a vocational agriculture center may
52 charge, subject to the provisions of section 10-65b, tuition for a school
53 year in an amount not to exceed eighty-two and five-tenths per cent of
54 the foundation level pursuant to subdivision (9) of section 10-262f of
55 the 2008 supplement to the general statutes, per student for the fiscal
56 year in which the tuition is paid, except that such board may charge
57 tuition for (1) students enrolled under shared-time arrangements on a
58 pro rata basis, and (2) special education students which shall not
59 exceed the actual costs of educating such students minus the amounts
60 received pursuant to subdivision (2) of subsection (a) of this section
61 and subsection (c) of this section. Any tuition paid by such board for
62 special education students in excess of the tuition paid for non-special-
63 education students shall be reimbursed pursuant to section 10-76g.

64 Sec. 4. Subsection (d) of section 10-66bb of the 2008 supplement to
65 the general statutes is repealed and the following is substituted in lieu
66 thereof (*Effective from passage*):

67 (d) Applications pursuant to this section shall include a description
68 of: (1) The mission, purpose and any specialized focus of the proposed
69 charter school; (2) the interest in the community for the establishment
70 of the charter school; (3) the school governance and procedures for the
71 establishment of a governing council that (A) includes (i) teachers and
72 parents and guardians of students enrolled in the school, and (ii) the
73 chairperson of the local or regional board of education of the town in
74 which the charter school is located and which has jurisdiction over a
75 school that resembles the approximate grade configuration of the
76 charter school, or the designee of such chairperson, provided such
77 designee is a member of the board of education or the superintendent
78 of schools for the school district, and (B) is responsible for the
79 oversight of charter school operations, provided no member or
80 employee of the governing council may have a personal or financial

81 interest in the assets, real or personal, of the school; (4) the financial
82 plan for operation of the school, provided no application fees or other
83 fees for attendance, except as provided in this section, may be charged;
84 (5) the educational program, instructional methodology and services to
85 be offered to students; (6) the number and qualifications of teachers
86 and administrators to be employed in the school; (7) the organization
87 of the school in terms of the ages or grades to be taught and the total
88 estimated enrollment of the school; (8) the student admission criteria
89 and procedures to (A) ensure effective public information, (B) ensure
90 open access on a space available basis, (C) promote a diverse student
91 body, and (D) ensure that the school complies with the provisions of
92 section 10-15c and that it does not discriminate on the basis of
93 disability, athletic performance or proficiency in the English language,
94 provided the school may limit enrollment to a particular grade level or
95 specialized educational focus and, if there is not space available for all
96 students seeking enrollment, the school may give preference to siblings
97 but shall otherwise determine enrollment by a lottery; (9) a means to
98 assess student performance that includes participation in state-wide
99 mastery examinations pursuant to chapter 163c; (10) procedures for
100 teacher evaluation and professional development for teachers and
101 administrators; (11) the provision of school facilities, pupil
102 transportation and student health and welfare services; (12)
103 procedures to encourage involvement by parents and guardians of
104 enrolled students in student learning, school activities and school
105 decision-making; (13) document efforts to increase the racial and
106 ethnic diversity of staff; and (14) a five-year plan to sustain the
107 maintenance and operation of the school. Subject to the provisions of
108 subsection (b) of section 10-66dd, an application may include, or a
109 charter school may file, requests to waive provisions of the general
110 statutes and regulations not required by sections 10-66aa to 10-66ff,
111 inclusive, [and] which are within the jurisdiction of the State Board of
112 Education.

113 Sec. 5. Section 10-74f of the 2008 supplement to the general statutes
114 is repealed and the following is substituted in lieu thereof (*Effective*
115 *from passage*):

116 Each local or regional board of education with jurisdiction over an
117 elementary or middle school that fails to make adequate yearly
118 progress based on whole school academic achievement in
119 mathematics, reading, or both, as determined under the state-wide
120 accountability plan adopted under section 10-223e of the 2008
121 supplement to the general statutes, for two consecutive years, may
122 reorganize such school to provide that:

123 (1) (A) The school be organized in academies, each containing a
124 maximum of one hundred seventy-five students divided into different
125 classes based on grade_z [.] (B) [Each] each academy include all grade
126 levels at the school_z [.] (C) [Students] students be randomly assigned to
127 academies_z [.] (D) [The] the academies have different themes but the
128 curriculum be the same in all_z [.]

129 (2) (A) The school principal appoint a teacher as team leader for
130 each academy based on evaluations pursuant to section 10-151b_z [.] (B)
131 [Team] team leaders not be teacher supervisors, but be literacy,
132 mathematics or science specialists_z [.] (C) [Team] team leaders work
133 with the school's regular classroom teachers to: (i) Plan lessons_z [.] (ii)
134 look at student data_z [.] (iii) work with small groups of students_z [.] (iv)
135 provide model lessons_z [.] and (v) plan school and academy-wide
136 activities_z [.]

137 (3) Each class in each academy have a ninety-minute mathematics
138 block and a two-hour literacy block every day_z [.]

139 (4) Each student in the school have an individual education plan
140 that incorporates the student's personal reading plan if the student is
141 required to have a reading plan pursuant to section 10-265g or 10-265l,
142 provided any child with an individual educational program developed
143 pursuant to section 10-76d of the 2008 supplement to the general
144 statutes follows such program_z [.]

145 (5) All teachers in the school of the same grade level meet weekly to
146 plan lessons_z [.]

147 (6) Teachers meet daily in teams based on grade level to plan
148 lessons; [.]

149 (7) Teachers meet once a week with the team leader and the school
150 principal to look at student work and data, evaluate instruction and
151 make adjustments and changes in instruction; [.]

152 (8) Students receive regular assessments, including short assessment
153 tests every two weeks, that evaluate short-term progress and district-
154 wide assessment tests every six weeks that evaluate a student's
155 progress toward long-term objectives; and [.]

156 (9) Any child who is falling behind based on assessments conducted
157 under subdivision (8) of this section be the subject of a meeting with
158 teachers, school principal and parents.

159 Sec. 6. Subsection (c) of section 10-145k of the 2008 supplement to
160 the general statutes is repealed and the following is substituted in lieu
161 thereof (*Effective from passage*):

162 (c) The teacher shall:

163 (1) Hold a J-1 visa issued by the United States Department of State;

164 (2) Be in the United States to teach (A) in accordance with a
165 memorandum of understanding between Connecticut and the country
166 from which the teacher is entering, or (B) as part of the Exchange
167 Visitor Program administered by the United States Department of
168 State Teacher Exchange Branch;

169 (3) (A) Hold the equivalent of a bachelor's degree [.] from a
170 regionally accredited institution of higher education, as determined by
171 a foreign credentialing agency recognized by the Commissioner of
172 Education, with a major in or closely related to the certification
173 endorsement area in which the teacher is to teach, or (B) hold such a
174 degree without such a major and have successfully completed the
175 teacher assessment for the appropriate subject area, as approved by the
176 State Board of Education;

177 (4) Have completed, in the country from which the teacher is
178 entering, the equivalent of a regionally accredited teacher preparation
179 program; and

180 (5) Have achieved the level of oral proficiency in English as
181 determined by an examination approved by the Commissioner of
182 Education.

183 Sec. 7. Subsection (a) of section 10-157 of the 2008 supplement to the
184 general statutes is repealed and the following is substituted in lieu
185 thereof (*Effective from passage*):

186 (a) Any local or regional board of education shall provide for the
187 supervision of the schools under its control by a superintendent who
188 shall serve as the chief executive officer of the board. The
189 superintendent shall have executive authority over the school system
190 and the responsibility for its supervision. Employment of a
191 superintendent shall be by election of the board of education. Except as
192 provided in subsection (b) of this section, no person shall assume the
193 duties and responsibilities of the superintendent until the board
194 receives written confirmation from the Commissioner of Education
195 that the person to be employed is properly certified or has had such
196 certification waived by the commissioner pursuant to subsection (c) of
197 this section. The commissioner shall inform any such board, in writing,
198 of the proper certification, waiver of certification or lack of certification
199 or waiver of any such person not later than fourteen days after the
200 name of such person is submitted to the commissioner pursuant to
201 section 10-226. A majority vote of all members of the board shall be
202 necessary to an election, and the board shall fix the salary of the
203 superintendent and the term of office, which shall not exceed three
204 years. Upon election and notification of employment or reemployment,
205 the superintendent may request and the board shall provide a written
206 contract of employment which includes, but [not be] is not limited to,
207 the salary, employment benefits and term of office of such
208 superintendent. Such superintendent shall, at least three weeks before
209 the annual town or regional school district meeting, submit to the

board a full written report of the proceedings of such board and of the condition of the several schools during the school year preceding, with plans and suggestions for their improvement. The board of education shall evaluate the performance of the superintendent annually in accordance with guidelines and criteria mutually determined and agreed to by such board and such superintendent.

Sec. 8. Subdivision (3) of subsection (c) of section 10-223e of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) The Comptroller shall, pursuant to the provisions of section 10-262i of the 2008 supplement to the general statutes, withhold any grant funds that a town is otherwise required to appropriate to a local or regional board of education due to low academic achievement in the school district pursuant to section 10-262h of the 2008 supplement to the general statutes. Said funds shall be transferred to the Department of Education and shall be expended by the department on behalf of the identified school district. Said funds shall be used to implement the provisions of subdivision (2) of this subsection and to offset such other local education costs [that] as the Commissioner of Education deems appropriate to achieve school improvements. These funds shall be awarded by the commissioner to the local or regional board of education for such identified school district upon condition that said funds shall be spent in accordance with the directives of the commissioner.

Sec. 9. Subsection (f) of section 10-223e of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) The Commissioner of Education shall conduct a study, within the limits of the capacity of the Department of Education to perform such study, of academic achievement of individual students over time as measured by performance on the state-wide mastery examination in grades three to eight, inclusive. If this study evidences a pattern of continuous and substantial growth in educational performance on said

243 examinations for individual students, [then] the commissioner may
244 determine that the school district or elementary school shall not be
245 subject to the requirements of subsection (e) of this section, but shall
246 still comply with the requirements of the No Child Left Behind Act,
247 P.L. 107-110, if applicable.

248 Sec. 10. Subsection (h) of section 10-233d of the 2008 supplement to
249 the general statutes is repealed and the following is substituted in lieu
250 thereof (*Effective from passage*):

251 (h) Whenever a pupil against whom an expulsion hearing is
252 pending withdraws from school after notification of such hearing but
253 before the hearing is completed and a decision rendered pursuant to
254 this section, (1) notice of the pending expulsion hearing shall be
255 included on the pupil's cumulative educational record, and (2) the
256 local or regional board of education or impartial hearing board shall
257 complete the expulsion hearing and render a decision. If such pupil
258 enrolls in school in another school district, such pupil shall not be
259 excluded from school in the other district pending completion of the
260 expulsion hearing pursuant to this subsection unless an emergency
261 exists, provided nothing in this subsection shall limit the authority of
262 the local or regional board of education for such district to suspend the
263 pupil or to conduct its own expulsion hearing in accordance with this
264 section.

265 Sec. 11. Subdivisions (24) and (25) of section 10-262f of the 2008
266 supplement to the general statutes are repealed and the following is
267 substituted in lieu thereof (*Effective from passage*):

268 (24) "State guaranteed wealth level" means (A) for the fiscal year
269 ending June 30, 1990, 1.8335 times the town wealth of the town with
270 the median wealth as calculated using the data of record on December
271 first of the fiscal year prior to the year in which the grant is to be paid
272 pursuant to section 10-262i of the 2008 supplement to the general
273 statutes, (B) for the fiscal years ending June 30, 1991, and June 30, 1992,
274 1.6651 times the town wealth of the town with such median wealth, (C)
275 for the fiscal years ending June 30, 1993, June 30, 1994, and June 30,

1995, 1.5361 times the town wealth of the town with the median wealth, (D) for the fiscal years ending June 30, 1996, to June 30, 2007, inclusive, 1.55 times the town wealth of the town with the median wealth, and (E) for the fiscal year ending June 30, 2008, and each fiscal year thereafter, 1.75 times the town wealth of the town with the median wealth.

(25) "Total need students" means the sum of (A) the number of resident students of the town for the school year, except that for the fiscal year commencing July 1, 2008, such number shall be reduced by one-quarter of the number of resident students of the town for the school year enrolled in full-time approved interdistrict magnet school programs pursuant to section 10-264l of the 2008 supplement to the general statutes, (B) (i) for any school year commencing prior to July 1, 1998, one-quarter the number of children under the temporary family assistance program for the prior fiscal year, and (ii) for the school years commencing July 1, 1998, to July 1, 2006, inclusive, one-quarter the number of children under the temporary family assistance program for the fiscal year ending June 30, 1997, (C) for school years commencing July 1, 1995, to July 1, 2006, inclusive, one-quarter of the mastery count for the school year, (D) for school years commencing July 1, 1995, to July 1, 2006, inclusive, ten per cent of the number of eligible children, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, (E) for the school year commencing July 1, 2007, and each school year thereafter, fifteen per cent of the number of eligible students, as defined in subdivision (1) of section 10-17e, for whom the board of education is not required to provide a program pursuant to section 10-17f, and (F) for the school year commencing July 1, 2007, and each school year thereafter, thirty-three per cent of the number of children below the level of poverty.

Sec. 12. Subdivision (2) of subsection (a) of section 10-264h of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

309 (2) (A) Not later than July 1, 2007, the Commissioner of Education
310 and the president of the Connecticut Science Center, Inc. shall enter
311 into a memorandum of understanding establishing the parameters
312 within which the center shall operate as and be given the status of a
313 state-wide magnet science learning center. Upon achieving such status,
314 the Connecticut Science Center, Inc. shall be eligible to apply for, in
315 accordance with the provisions of subparagraph (B) of this
316 subdivision, a grant [of] for reimbursement of ninety-five per cent of
317 any expenditures for the construction, replacement, alteration or repair
318 of its facilities, including the reasonable and necessary costs for major
319 exhibits. The Connecticut Science Center, Inc. may fund its five per
320 cent share of expenditures from private contributions.

321 (B) To be eligible to receive a grant pursuant to this subdivision, the
322 Connecticut Science Center, Inc. shall file an application with the
323 Commissioner of Education in such form and manner as the
324 commissioner prescribes. Construction projects at the magnet science
325 learning center shall meet the requirements of chapter 173, except that
326 the commissioner may waive any requirements in such chapter for
327 good cause.

328 Sec. 13. Subsection (a) of section 10-285a of the 2008 supplement to
329 the general statutes is repealed and the following is substituted in lieu
330 thereof (*Effective from passage*):

331 (a) The percentage of school building project grant money a local
332 board of education may be eligible to receive, under the provisions of
333 section 10-286 shall be determined as follows: (1) Each town shall be
334 ranked in descending order from one to one hundred sixty-nine
335 according to such town's adjusted equalized net grand list per capita,
336 as defined in section 10-261; (2) based upon such ranking, a percentage
337 of not less than forty [nor] or more than eighty shall be determined for
338 each town on a continuous scale, except that for school building
339 projects authorized by the General Assembly during the fiscal year
340 ending June 30, 1991, for all such projects so authorized thereafter and
341 for grants approved pursuant to subsection (b) of section 10-283 of the

342 2008 supplement to the general statutes for which application is made
343 on and after July 1, 1991, the percentage of school building project
344 grant money a local board of education may be eligible to receive,
345 under the provisions of section 10-286 shall be determined as follows:
346 (A) Each town shall be ranked in descending order from one to one
347 hundred sixty-nine according to such town's adjusted equalized net
348 grand list per capita, as defined in section 10-261; (B) based upon such
349 ranking, a percentage of not less than twenty [nor] or more than eighty
350 shall be determined for each town on a continuous scale.

351 Sec. 14. Subsection (c) of section 10-285a of the 2008 supplement to
352 the general statutes is repealed and the following is substituted in lieu
353 thereof (*Effective from passage*):

354 (c) The percentage of school building project grant money a regional
355 educational service center may be eligible to receive shall be
356 determined by its ranking. Such ranking shall be determined by (1)
357 multiplying the population of each member town in the regional
358 educational service center by such town's ranking, as determined in
359 subsection (a) of this section, [;] (2) adding together the figures for each
360 town determined under subdivision (1) of this subsection, and (3)
361 dividing the total computed under subdivision (2) of this subsection by
362 the total population of all member towns in the regional educational
363 service center. The ranking of each regional educational service center
364 shall be rounded to the next higher whole number and each such
365 center shall receive the same reimbursement percentage as would a
366 town with the same rank.

367 Sec. 15. Subdivision (3) of subsection (c) of section 11-24b of the 2008
368 supplement to the general statutes is repealed and the following is
369 substituted in lieu thereof (*Effective from passage*):

370 (3) Grants to the principal public library for each town shall be
371 determined as follows: Said funds available for purposes of this
372 subsection shall be multiplied by the [per cent] percentage of funds for
373 each class to determine an appropriation per class; the appropriation
374 per class shall be divided by the total population per class to determine

375 an amount per capita; the grant for the principal public library for each
 376 town shall be the town's total population multiplied by the amount per
 377 capita. For purposes of this subdivision, "total population" of a town
 378 means that enumerated in the most recent federal decennial census of
 379 population.

380 Sec. 16. Subdivision (3) of subsection (d) of section 11-24b of the
 381 2008 supplement to the general statutes is repealed and the following
 382 is substituted in lieu thereof (*Effective from passage*):

383 (3) Grants to the principal public library for each town shall be
 384 determined as follows: Said funds available for purposes of this
 385 subsection shall be multiplied by the [per cent] percentage of funds per
 386 class to determine an appropriation per class; the appropriation per
 387 class shall be divided by the total population per class to determine an
 388 amount per capita; the grant for the principal public library for each
 389 town shall be the town's total population multiplied by the amount per
 390 capita. For purposes of this subdivision, "total population" of a town
 391 means that enumerated in the most recent federal decennial census of
 392 population.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-16n(a)
Sec. 2	<i>from passage</i>	10-20a(c)
Sec. 3	<i>from passage</i>	10-65(b)
Sec. 4	<i>from passage</i>	10-66bb(d)
Sec. 5	<i>from passage</i>	10-74f
Sec. 6	<i>from passage</i>	10-145k(c)
Sec. 7	<i>from passage</i>	10-157(a)
Sec. 8	<i>from passage</i>	10-223e(c)(3)
Sec. 9	<i>from passage</i>	10-223e(f)
Sec. 10	<i>from passage</i>	10-233d(h)
Sec. 11	<i>from passage</i>	10-262f(24) and (25)
Sec. 12	<i>from passage</i>	10-264h(a)(2)
Sec. 13	<i>from passage</i>	10-285a(a)
Sec. 14	<i>from passage</i>	10-285a(c)
Sec. 15	<i>from passage</i>	11-24b(c)(3)

Sec. 16	<i>from passage</i>	11-24b(d)(3)
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ED*Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes various technical and grammatical changes to the statutes relating to education, and is not anticipated to result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

SB 614

***AN ACT CONCERNING THE RECOMMENDATIONS BY THE
LEGISLATIVE COMMISSIONERS FOR TECHNICAL REVISIONS TO
EDUCATION STATUTES.***

SUMMARY:

This bill makes technical, grammatical, and punctuation changes in statutes relating to education.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 28 Nay 0 (03/14/2008)